

§ 165. Repealed. Aug. 26, 1954, ch. 937, title V, § 542(a)(13), 68 Stat. 861

Section, acts Mar. 3, 1925, ch. 426, § 4, 43 Stat. 1111; Mar. 3, 1927, ch. 355, 44 Stat. 1388; Sept. 1, 1937, ch. 895, 50 Stat. 887, related to exportation of helium gas. See section 2778 of Title 22, Foreign Relations and Inter-course.

§ 166. Omitted

Section, acts Mar. 3, 1925, ch. 426, § 5, 43 Stat. 1111; Mar. 3, 1927, ch. 355, 44 Stat. 1388; Sept. 1, 1937, ch. 895, 50 Stat. 887; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501, authorized Secretaries of Army and Navy to designate representatives to cooperate with Department of the Interior to effectuate the purposes of this chapter, and gave them the right of access to plants, data, and accounts. See section 7 of act Mar. 3, 1925, as amended by Pub. L. 86-777, which is classified to section 167e of this title.

§ 167. Definitions

As used in this chapter:

(1) The term “Secretary” means the Secretary of the Interior;

(2) The term “person” means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, or State or political subdivision thereof; and

(3) The terms “helium-bearing natural gas” and “helium-gas mixture” mean, respectively, natural gas and gas mixtures containing three-tenths of 1 per centum or more of helium by volume.

(Mar. 3, 1925, ch. 426, § 2, as added Pub. L. 86-777, § 2, Sept. 13, 1960, 74 Stat. 918.)

PRIOR PROVISIONS

A prior section 2 of act Mar. 3, 1925, authorized Bureau of Mines to produce helium gas and was classified to section 163 of this title, prior to the general amendment of this chapter by Pub. L. 86-777.

EFFECTIVE DATE OF 1960 AMENDMENT

Section 3 of Pub. L. 86-777 provided that: “The amendment made by this Act [enacting this section and sections 167a to 167n of this title] shall become effective on March 1, 1961.”

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-273, § 1, Oct. 9, 1996, 110 Stat. 3315, provided that: “This Act [amending sections 167a to 167d, 167f, 167j, and 167m of this title] may be cited as the ‘Helium Privatization Act of 1996’.”

SHORT TITLE OF 1960 AMENDMENT

Section 1 of Pub. L. 86-777 provided that: “This Act [enacting this section, sections 167a to 167n of this title, and provisions set out as notes below] may be cited as the ‘Helium Act Amendments of 1960’.”

SHORT TITLE

Section 1 of act Mar. 3, 1925, as added by Pub. L. 86-777, § 2, provided that: “This Act [enacting this section, sections 167a to 167n of this title, and provision set out as a note below] may be cited as the ‘Helium Act’.”

SEPARABILITY

Section 17 of act Mar. 3, 1925, as added by Pub. L. 86-777, § 2, provided that: “If any provision of this Act [enacting this section, sections 167a to 167n of this title, and provisions set out as a note above], or the application of such provision to any person or circumstance, is held invalid, the remainder of this Act or the

application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.”

SEVERANCE PACKAGE FOR HELIUM OPERATIONS EMPLOYEES

Pub. L. 106-113, div. B, § 1000(a)(3) [title I, § 112], Nov. 29, 1999, 113 Stat. 1535, 1501A-157, provided that:

“(a) Employees of Helium Operations, Bureau of Land Management, entitled to severance pay under 5 U.S.C. 5595, may apply for, and the Secretary of the Interior may pay, the total amount of the severance pay to the employee in a lump sum. Employees paid severance pay in a lump sum and subsequently reemployed by the Federal Government shall be subject to the repayment provisions of 5 U.S.C. 5595(i)(2) and (3), except that any repayment shall be made to the Helium Fund.

“(b) Helium Operations employees who elect to continue health benefits after separation shall be liable for not more than the required employee contribution under 5 U.S.C. 8905a(d)(1)(A). The Helium Fund shall pay for 18 months the remaining portion of required contributions.

“(c) The Secretary of the Interior may provide for training to assist Helium Operations employees in the transition to other Federal or private sector jobs during the facility shut-down and disposition process and for up to 12 months following separation from Federal employment, including retraining and relocation incentives on the same terms and conditions as authorized for employees of the Department of Defense in section 348 of the National Defense Authorization Act for Fiscal Year 1995 [Pub. L. 103-337, 10 U.S.C. 1597 note].

“(d) For purposes of the annual leave restoration provisions of 5 U.S.C. 6304(d)(1)(B), the cessation of helium production and sales, and other related Helium Program activities shall be deemed to create an exigency of public business under, and annual leave that is lost during leave years 1997 through 2001 because of 5 U.S.C. 6304 (regardless of whether such leave was scheduled in advance) shall be restored to the employee and shall be credited and available in accordance with 5 U.S.C. 6304(d)(2). Annual leave so restored and remaining unused upon the transfer of a Helium Program employee to a position of the executive branch outside of the Helium Program shall be liquidated by payment to the employee of a lump sum from the Helium Fund for such leave.

“(e) Benefits under this section shall be paid from the Helium Fund in accordance with section 4(c)(4) of the Helium Privatization Act of 1996 [probably means the Helium Act, which is classified to section 167b(c)(4) of this title]. Funds may be made available to Helium Program employees who are or will be separated before October 1, 2002 because of the cessation of helium production and sales and other related activities. Retraining benefits, including retraining and relocation incentives, may be paid for retraining commencing on or before September 30, 2002.

“(f) This section shall remain in effect through fiscal year 2002.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 105-277, div. A, § 101(e) [title I, § 112], Oct. 21, 1998, 112 Stat. 2681-231, 2681-254.

Pub. L. 105-83, title I, § 113, Nov. 14, 1997, 111 Stat. 1562.

§ 167a. Authority of Secretary

(a) Extraction and disposal of helium on Federal lands

(1) In general

The Secretary may enter into agreements with private parties for the recovery and disposal of helium on Federal lands upon such terms and conditions as the Secretary deems fair, reasonable, and necessary.